

In re Application of:

Lan V. Nguyen et al.

Serial No.: 09/929,211

Filed: August 14, 2001

For: METHOD AND APPARATUS FOR
MANAGING MULTICAST DATA ON
AN IP SUBNET

September 11, 2006

Art Unit: 2616

Examiner: Steven Blount

Docket No.: SC11824TS

Certificate of Submission

I hereby certify that this correspondence is being submitted to the U.S.P.T.O.,
Alexandria, VA.

- ☐ Addressed per C.F.R. § 1.1(a) and deposited with the United States Postal
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September 11, 2006

Date of Submission

/Stacie Herrera/

Signature

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APPEAL BRIEF

COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22313

BOARD OF PATENT APPEALS & INTERFERENCES:

This brief is filed in the matter of the Appeal to the Board of Appeals and Interferences of
the rejection of the claims of the above-referenced application for patent.

REAL PARTY IN INTEREST

The present application is wholly assigned to FREESCALE SEMICONDUCTOR, INC., with its headquarters in Austin, Texas.

RELATED APPEALS AND INTERFERENCES

Appellants are unaware of other appeals or interferences which will directly affect, be directly affected by, or have a bearing on the Board's decision in this appeal.

STATUS OF CLAIMS

Claims 15-17 are pending. Claims 1-14 have been canceled. Claims 15 and 16 were amended during prosecution.

Claims 15-17 stand rejected under 35 U.S.C. 103 as being obvious in view of US Patent 6,298,058, Maher et al.

The rejection of claims 15-17 is being appealed.

STATUS OF AMENDMENTS

An amendment received by the U.S.P.T.O. on May 26, 2006, was filed in response to a final rejection and is believed to have been entered and accurately reflect the pending claims.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 15 is a method claim in which a multicast data is managed on an Internet Protocol (IP) subnet. The IP subnet has a first client device (STB 32) and a second client device (STB 34) coupled to it. The IP subnet is shown in FIG. 1 between DSL modem 24 and STB's 32 and 34. STB is an acronym for set top box.

Claim 1 recites a step of the first client, supported by STB 32, sending a leave message on the IP subnet to indicate that it is leaving the multicast group. In this case the multicast group is made up of

Claim 1 further recites a step of the second client device, supported by STB 34, detecting the leave message.

Claim 1 concludes with a step of second client device, STB 34, sending a join message to that it is rejoining the multicast group. This sending of the join message is in response to detecting the leave message.

Independent claim 16 is directed to a first client device, supported by STB 32, that is coupled to an IP subnet that is capable of being coupled to a second client device, supported by STB 34. The first client device STB 32, is characterized as having two means.

Claim 16 recites that one of the means is for detecting a leave message sent by the second means. This function shown in FIG. 2 as "DETECT LEAVE MESSAGE." This leave message indicates that the second client device, supported by STB 34, is leaving the multicast group.

Claim 16 concludes with the other means sending a join message to indicate that the first client device is rejoining the multicast group in response to detecting the leave message.

Claim 17 is a dependent claim on claim 16 that further characterizes the IP subnet. In particular, the IP subnet is capable of being coupled to a router, which is supported by router 16. The router is characterized as configured to operate in fast-leave mode. This capability is described at page 8, lines 19-22 in pointing out the improvement does not require changing the router, and particularly allowing for use of the fast-leave mode in use in routers.

GROUND FOR REJECTION TO BE REVIEWED ON APPEAL

1) Are claims 15 -17 obvious under 35 U.S.C. 103 in view of US Patent 6,298,058, Maher et al. (Maher)?

ARGUMENT

Arguments for Ground 1

Independent Claim 1

Independent claim 15 stands rejected under 35 U.S.C. 103 as being anticipated by Maher.

The Examiner referenced column 10, lines 1-15 as substantially describing applicants' claims. The Examiner viewed the presence of the clients being on the same global multi-cast group as being on the same subnet.

At the location in Maher referenced by the Examiner, an operation is described in which two base sites (also called repeater sites) 102 and 104 and two consoles 138 and 140 are on MCID-2 and each send a leave message to get off of MCID-2. The two consoles 138 and 140 were already on MCID-1 also. MCID-1 is also referenced at the "first payload multicast

group address” and the “first address.” Similarly, MCID-2 is made reference to by the “second address.” Base sites send join messages to indicate the desire to rejoin the first address, MCID-1. The two consoles, 138 and 140, having never left MCID-1 continue to receive the first payload associated with MCID-1. The applicants are assuming that the Examiner views MCID-1 and MCID-2 as being analogous to subnets and repeater sites 102 and 104 and consoles 138 and 140 as being analogous to client devices. For the purposes of this appeal, applicants do not dispute these analogies.

Applicants’ claims, however, differ from the operation described by Maher, on other grounds. The operation in Maher is simply addressing several devices leave an MCID and joining a different MCID. Applicants’ claims address the situation of the client that is staying on a subnet when another client is leaving. In particular, the remaining client detects the departing client’s leave message and responds with a join message. Applicants have not been able find anywhere in Maher where a remaining client detects a leave message much less sends a join message. Accordingly, applicants submit that the claims are patentably distinct from Maher.

CONCLUSION

For at least the reasons set forth above, Applicants respectfully submit that the claims of the present application are allowable over the art cited during prosecution.

Respectfully submitted,



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Claims Appendix

1. – 14. (canceled)
15. (previously presented) A method for managing multicast data on an Internet Protocol (IP) subnet having a first and a second client device coupled thereto, the first and second client device belonging to a multicast group, the method comprising:
- the first client device sending a leave message on the IP subnet indicate leaving the multicast group;
 - the second client device detecting the leave message; and
 - in response to detecting the leave message, the second client device sending a join message to indicate rejoining the multicast group.
16. (previously presented) A first client device coupled to an IP subnet, the IP subnet capable of being coupled to a second client device, the first client device and second client device belonging to a multicast group, the first client device comprising:
- means for detecting a leave message sent by the second client to indicate leaving the multicast group; and
 - means for sending a join message to indicate rejoining the multicast group in response to detecting the leave message.
17. (original) The first client device of claim 16, wherein the IP subnet is capable of being coupled to a router, wherein the router is configured to operate in fast-leave mode.

Evidence Appendix

No evidence is submitted in this appendix

Related proceedings Appendix

There are no decisions under this appendix.